GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Registration & Stamps Department – Sri M.Satyanarayana Raju, former Sub Registrar (Retired), Amalapuram, Rajahmundry Registration District – Disciplinary proceedings initiated on the allegation of registration of documents without proper scrutiny resulting loss of Revenue – Regular enquiry conducted – Inquiring Authority report communicated – Dated acknowledgement received – Show cause notice issued – Dated acknowledgement received – Imposed penalty of 10 % cut in pension permanently besides recovery of loss of Rs.5,10,405/- – Orders– Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.160 Dated:08-02-2017

Read the following:

1.DIG, R&S, Kakinada Lr.No.X/530/2015, dt:03-02-2015.
2.G.O.Ms.No.112, Rev (Vig.II) Deptt., dt: 31-03-2015.
3.G.O.Rt.No.236, Rev (Vig.II) Deptt., dt:31-03-2015.
4.DIG, R&S, Kakinada Lr.No.X/530/2015, dt:03-06-2015.
5.G.O.Rt.No.847, Rev (Vig.II) Deptt., dt:11-09-2015.
6.Govt., Memo.No.4122/Vig.II(1)/2015-1, dt:11-09-2015.
7.D&IG, R&S, AP., Hyd., Lr.No.X2/1428/2015, dt:02-01-2016 along with IA report.
8.Govt., Memo.No.4122/Vig.II(1)/2015-2, dt:21-1-2016.
9. DIG, R&S, Kakinada Lr.No.X/530/2015, dt:22-2-2016 along with dated acknowledgement of IA report communicated to the CO.
10.Govt., Memo.No.4122/Vig.II(1)/2015-3, dt:5-8-2016.
11.DIG, R&S, Kakinada Lr.No.X/530/2015, dt:5-10-2016 along with dated acknowledgement of the SCN served on CO.
12.Govt., Lr.No.4122/Vig.II(1)/2015-4, dt:8-12-2016.
13. APPSC Lr.No.11/DC&C/1/2017, dt:19-1-2017.

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ORDER:

Whereas, in the reference 1st read above, the Deputy Inspector General, Registration & Stamps, Kakinada has brought to the notice of the Government that Sri M.Satyanarayana Raju, former Sub Registrar, Amalapuram, Kakinada Registration District (now Retired) has committed grave irregularities by registering the documents without proper scrutiny resulting huge loss of revenue of Rs.8,44,797/- to the State Exchequer while working as Sub Registrar at Registrar Office (Original Branch), Rajahmundry and Sub Registrar Office, Amalapuram.

2. And whereas, in the reference 3rd read above, Government have initiated disciplinary proceedings against the Charged Officer Sri M.Satyanarayana Raju, former Sub Registrar, Amalapuram (now Retired) duly framing the following charge with a direction to submit his Written Statement of Defense within 15 days from the date of receipt of the Government order.

CHARGE-1:

That Sri M.Satyanarayana Raju, former Sub Registrar, Amalapuram of Rajahmundry Registration District and now retired from service on superannuation on the AN of 31.12.2013, while he was working as Sub Registrar, Registrar Office (Original Branch), Rajahmundry, Rajahmundry Registration District, he has committed grave irregularities by registering the documents without proper scrutiny

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resulting huge loss of revenue of Rs.5,28,785/- (Rupees five lakhs twenty eight thousand seven hundred and eighty five only) to the Government Exchequer and which is unbecoming of a Government Servant.

CHARGE-II:

That Sri M.Satyanarayana Raju, former Sub Registrar, Amalapuram of Rajahmundry Registration District and now retired from service on superannuation on the AN of 31.12.2013, while he was working as Sub Registrar, Sub Registrar Office, Amalapuram, Rajahmundry Registration District, he has committed grave irregularities by registering the documents without proper scrutiny resulting in huge loss of revenue of Rs.3,16,012/- (Rupees three lakhs sixteen thousand and twelve only) to the Government Exchequer and which is unbecoming of a Government Servant.

3. Whereas, in the reference 4th read above, the Deputy Inspector General, Registration & Stamps, Kakinada has furnished only the dated acknowledgement of the charges served on the Charged Officer Sri M.Satyanarayana Raju, former Sub Registrar (Retired). But, no Written Statement of Defense has been received by Government and the time prescribed for submitting the Written Statement of Defense has also been elapsed by 31-5-2015.

4. Government examined the matter and appointed Deputy Inspector General, Registration & Stamps, Kakinada as Inquiring Authority in the reference 5th read above, and District Registrar, Registration & Stamps, Rajahmundry as Presenting Officer in the reference 6th read above for conducting regular enquiry on the charges framed against the Charged Officer.

5. In the reference 7th read above, the Inquiring Authority i.e., Deputy Inspector General, Registration & Stamps, Kakinada has furnished the enquiry report stating that after analysis and assessment of evidence has mainly stated among others that the former District Registrar, Registration & Stamps, Rajahmundry and present District Registrar, Registration & Stamps (Market Value & Audit), Visakhapatnam in his deposition has stated that the deficit amount yet to be collected is Rs.6,09,755/- as against the total loss of Rs.8,44,797/- due to collection of deficit amounts and dropping of some remarks amounting to Rs.2,35,042/- in respect of certain documents and stated that the other witnesses have corroborated his evidence.

6. The Inquiring Authority has further stated that the Charged Officers request can be considered since the deficit of Rs.28,300/- pointed out in the post facto inspections can be excluded from the amount yet to be collected as the Sub Registrar is not authorized to conduct spot inspection of the properties before registration of the documents hitherto and also stated that with regard to loss of Rs.71,050/- in respect of Doc.Nos.6367/2006, 6144/2006 & 6145/2006, the Inquiring Authority has stated that the Sub Registrar is not responsible for misclassification of deposit of title deeds as Mortgage deeds.

7. With the above, the Inquiring Authority has stated that the balance amount yet to be collected comes to Rs.5,10,405/-. (i.e., Total loss of deficit Rs.8,44,797 – 2,35,042 - 28,300 - 71,050).

8. The Inquiring Authority has finally stated that the deficit arose due to improper scrutiny while registering the documents which exhibits the negligence of the Charged Officer in discharge of his duties as Sub Registrar

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and stated that had the deficits not been brought to light by the Inspecting Officers, the Government would have sustained loss of Revenue towards deficit stamp duty and registration fees.

9. With the above findings, the Inquiring Authority on the basis of documentary and oral evidence adduced in the case before him and in view of the above reasons, he hold that the charges-I & II were held proved against Sri M.Satyanarayana Raju, former Sub Registrar (Retired).

10. Government have examined the matter and communicated the Inquiring Authority report to the Charged Officer Sri M.Satyanarayana Raju, former Sub Registrar (Retired) through the Deputy Inspector General, Registration & Stamps, Kakinada with a request to offer his representation if any on the findings of Regular Enquiry Officer within 15 days from the date of receipt of Government memo in the reference 8th read above.

11. In the reference 9th read above, the Deputy Inspector General, Registration & Stamps, Kakinada has furnished only the dated acknowledgement of the Inquiring Authority report communicated to the Charged Officer Sri M.Satyanarayana Raju, former Sub Registrar (Retired). But, no representation has been received by Government and the prescribed time limit of 15 days for submitting his representation if any on the findings of Inquiring Authority also has been elapsed by 1-3-2016.

12. Government after careful examination of the matter observed that the deficit amount arose due to improper scrutiny while registering the documents which exhibits the negligence of the Charged Officer in discharge of his duties as Sub Registrar and the amount yet to be collected comes to Rs.5,10,405/-. Therefore, it has been provisionally decided to impose a penalty of 10% cut in pension permanently besides recovery of the deficit amount of Rs.5,10,405/- from the Charged Officer Sri M.Satyanarayana Raju, former Sub Registrar (Retired). Accordingly, a Show Caused Notice has been issued in the reference 10th read above with a direction to show cause as to why the proposed penalty should not be imposed against him within 15 days from the date of receipt of the Show cause notice. He is further informed that if no reply is received, it will be construed that, he has no representation to offer and further action will be taken based on the material available with Government.

13. In the reference 11th read above, the Deputy Inspector General, Registration & Stamps, Kakinada has furnished only the dated acknowledgement of the show cause notice served on the charged officer. As seen from the dated acknowledgement, the Charged Officer has not furnished any representation in reply to show cause notice in the reference 10th read above and the prescribed time limit of 15 days has also been elapsed by 15-9-2016.

14. Government after careful examination of the matter have decided to confirm the provisional decision i.e., to impose a penalty of 10% cut in pension permanently besides recovery of the deficit amount of Rs.5,10,405/- against the Charged Officer Sri M.Satyanarayana Raju, former Sub Registrar (Retired) and sought for concurrence of Andhra Pradesh Public Service Commission in the reference 12th read above.

15. The Andhra Pradesh Public Service Commission have agreed with the proposal of the Government in the reference 13th read above (copy enclosed).

16. Therefore, Government, hereby order to impose a penalty of 10% cut in pension permanently besides recovery of the deficit amount of Rs.5,10,405/- against the Charged Officer Sri M.Satyanarayana Raju, former Sub Registrar (Retired).

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17. The Director & Inspector General (Registration & Stamps), Vijayawada / Deputy Inspector General, Registration & Stamps, Kakinada shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Individual (**through** the Deputy Inspector General, Registration & Stamps, Kakinada with a request to serve the order on the Charged Officer and furnish the served copy along with dated acknowledgement to Government for record).
The Director & Inspector General, Registration & Stamps, Eedupugallu, Vijayawada, Krishna District,Andhra Pradesh.
The Deputy Inspector General, Registration & Stamps, Kakinada.
SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER